

No. 24-13294-C

**UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT**

C.B.,
Appellant-Plaintiff,

v.

NASEEB INVESTMENTS, INC.,
Appellee-Defendant.

Appeal from the United States District Court
for the Northern District of Georgia
Case No. 1:20-cv-04213-AT

**OPPOSITION TO MOTION FOR LEAVE TO FILE OUT-OF-TIME BRIEF
OF AMICI CURIAE A.G. AND G.W. IN SUPPORT OF C.B.**

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Amended Certificate of Interested Persons & Corporate Disclosure Statement

In accordance with Federal Rule of Appellate Procedure 26.1 and Eleventh Circuit Rules 26.1-1 through 26.1-3, counsel for Appellee-Defendant Naseeb Investments, Inc. certifies that the following is a complete list of all trial judges, attorneys, persons, associations of persons, firms, partnerships, or corporations (including subsidiaries, conglomerates, affiliates, parent corporations, any publicly held corporation that owns 10% or more of the party's stock, and other identifiable legal entities related to a party) that have an interest in the outcome of this particular case or appeal. Additions to the Certificate of Interested Persons are marked with an asterisk.

- A.G. (Appellant in *A.G. v. Northbrook Industries, Inc.*, Appeal No. 25-10816)*
- Amin, Nalini (Joint Owner of Defendant Naseeb Investments)
- Amin, Vic (Joint Owner of Defendant Naseeb Investments)
- Andersen, Tate & Carr, P.C. (Counsel for A.G. & G.W.)*
- Atkins, Sabrina Lynn (Counsel for Defendant-Appellee)
- Baker, Donelson, Bearman, Caldwell & Berkowitz, P.C. (Counsel for Movant Choice Hotels International Inc.)
- Beranek, Lori M. (Counsel for Movants U.S. Attorney's Office and FBI)

- Bondurant, Mixson & Elmore LLP (Counsel for Plaintiff-Appellant)
- Bouchard, David (Counsel for A.G. & G.W.)*
- Boulee, J.P. (United States District Court Judge)*
- Cartiga Consumer Funding, LLC (Litigation Funding) C.B. (Plaintiff-Appellant)
- C.B. (Appellant)
- Choice Hotels International, Inc. (Movant in District Court)
- Clopton, Andrew (Counsel for International Franchise Association)
- Colette, Hervey Joseph (Counsel for Movant View Point Health)
- Cooper, Belle-Anne (Counsel for Plaintiff-Appellant)
- Ekpo, Oto (Counsel for A.G. & G.W.)*
- Federal Bureau of Investigation (Movant in District Court)
- Finch McCranie, LLP (Counsel for A.G. & G.W.)*
- Fine, Julie (Counsel for International Franchise Association)
- Fireman's Fund (Insurer for Northbrook Industries, Inc.)*
- Freeman Mathis & Gary, LLP (Counsel for Movant View Point Health)

- G.W. (Appellant in *G.W. v. Northbrook Industries, Inc.*, Appeal No. 25-10829)*
- Galloway, Sara (Counsel for Northbrook Industries, Inc.)*
- Gilmore, Tracy Anne (Counsel for Defendant-Appellee)
- Greenaway, Amber (Counsel for Plaintiff-Appellant)
- Harris, Roger E. (Counsel for Defendant-Appellee)
- International Franchise Association
- Jones Day (Counsel for International Franchise Association)
- Knisely, Gabriel (Counsel for A.G. & G.W.)*
- Lee, Christopher Sue (Counsel for Movant View Point Health)
- Lewis Brisbois Bisgaard Smith, LLP (Counsel for Northbrook Industries, Inc.)*
- McDonough, Patrick (Counsel for A.G. & G.W.)*
- Merrill, Marissa (Counsel for Defendant-Appellee)
- Mobley, Cameron (Counsel for Northbrook Industries, Inc.)*
- Naseeb Investments, Inc. d/b/a The Hilltop Inn a/k/a Econolodge (Defendant-Appellee)
- Northbrook Industries, Inc. (Appellee in *A.G. v. Northbrook Industries, Inc. and G.W. v. Northbrook Industries, Inc.*)*
- Patel, Atul (Joint Owner of Defendant Naseeb Investments)

- Patel, George (Joint Owner of Defendant Naseeb Investments)
- Ramachandrappa, Naveen (Counsel for Plaintiff-Appellant)
- Spital, Jonathan (Counsel for Defendant-Appellee)
- Stoddard, Matthew (Counsel for Plaintiff-Appellant)
- Swift, Currie, McGhee & Hiers, LLP (Counsel for Defendant-Appellee)
- The Stoddard Firm (Counsel for Plaintiff-Appellant)
- Tonge, Jonathan (Counsel for A.G. & G.W.)*
- Totenberg, Hon., Amy (District Court Judge, N.D. Ga.)
- Tropper, Joshua (Counsel for Movant Choice Hotels International Inc.)
- Turner, Sara Marie (Counsel for Movant Choice Hotels International Inc.)
- United States Attorney's Office (Movant in District Court)
- View Point Health (Movant in District Court)
- Wagner, Kori (Counsel for Defendant-Appellee)
- Ward, Alice (Counsel for Northbrook Industries, Inc.)*
- Webb Daniel, Laurie (Counsel for Defendant-Appellee)
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- Weeks, Rory (Counsel for A.G. & G.W.)*

- WLG Atlanta, LLC (Counsel for Plaintiff-Appellant)
- Zabresky, Janelle (Counsel for Plaintiff-Appellant)

Submitted this August 1, 2025.

/s/ Laurie Webb Daniel

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Attorneys for Appellee-Defendant

Appellee-Defendant Naseeb Investments, Inc. (“Naseeb”) opposes the pending motion of A.G. and G.W. to file an out-of-time *amicus curiae* brief, showing the Court as follows.

As the proposed *amici curiae* admit, “their request for leave is untimely.” *See* USCA Dkt. 53-1 at 9-10. Indeed, given that C.B.’s principal brief was filed on January 3, 2025 (USCA Dkt. 24), their deadline to move for leave to file an *amicus* brief passed more than six months ago. *See* Fed. R. App. P. 29(a)(6) (“An *amicus curiae* must file its brief, accompanied by a motion for filing when necessary, no later than 7 days after the principal brief of the party being supported is filed.”); *see also Kinsale Ins. Co. v. Pride of St. Lucie Lodge 1189, Inc.*, 135 F.4th 961, 976, n.4 (11th Cir. 2025) (noting that “[t]he Rule’s language is unambiguous and mandatory”). And while the proposed *amici curiae* argue that the Court can extend the time to file a brief for “good cause” under Fed. R. App. P. 26(b), they make no attempt to show why that standard has been satisfied here. *See* USCA Dkt. 53-1 at 10. Notably, proposed *amici curiae* offer no explanation as to why they waited nearly five months after their appeal was docketed and four months after Naseeb had already submitted its Appellee brief to file their motion. *See* USCA Dkt. 33 (Naseeb’s Appellee Brief filed on March 31, 2025).

Moreover, the proposed *amicus curiae* brief will not aid the Court in resolving this appeal because the arguments raised therein are largely redundant of

the conclusory arguments already made in C.B.'s briefing. And when not repeating those same conclusory arguments, it strays into issues not needed for the resolution of this appeal, as evidenced by the fact that they were not enumerated as error by C.B. or addressed in the district court's summary judgment order. *See* USCA Dkt. 53-1 at 11.

In short, the law applicable to this case is straightforward and governed by binding precedent, *Doe #1 v. Red Roof Inns, Inc.*, 21 F.4th 714 (11th Cir. 2021), as further explained in *K. H. v. Riti, Inc.*, No. 23-11682, 2024 WL 505063 (11th Cir. Feb. 9, 2024). And as in *K.H.*, the district court's order should be affirmed under the *Red Roof* framework without the need for additional briefing or oral argument.

Respectfully submitted this August 1, 2025.

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CERTIFICATE OF COMPLIANCE

1. This brief complies with the type-volume limitation of Fed. R. App. P. 27(d)(2)(A) because it contains 388 words, excluding the parts of the brief exempted by Fed. R. App. P. 32(f).

2. This brief complies with the typeface requirements of Fed. R. App. P. 32(a)(5) and the type-style requirements of Fed. R. App. P. 32(a)(6), because it has been prepared in a proportionally spaced typeface using Times New Roman 14-point font.

This August 1, 2025.

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CERTIFICATE OF SERVICE

I hereby certify that on August 1, 2025, I electronically filed the foregoing with the Clerk of Court for the United States Court of Appeals for the Eleventh Circuit by using the CM/ECF system. I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

/s/ Laurie Webb Daniel

Laurie Webb Daniel